

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
KEISHA D. HOGANS,

Plaintiff,

-against-

N.Y.C. COMPTROLLER'S OFFICE, *et al.*,Defendants.
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23-CV-10514 (VSB)

ORDERVERNON S. BRODERICK, United States District Judge:

On November 29, 2023, Plaintiff, proceeding pro se, paid the filing fee and filed this action against Defendants. (Doc. 1.) Plaintiff is therefore responsible for serving the summons and complaint on Defendants. On February 29, 2024, after Plaintiff failed to request a summons from the Clerk's Office or to take any action to prosecute this case, I ordered Plaintiff to "submit a letter of no more than three (3) pages, supported by legal authority, demonstrating good cause as to why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m)." (Doc. 3.) My order warned Plaintiff that "failure to submit a letter and to demonstrate good cause for failure to serve Defendants within ninety days after the complaint was filed will result in dismissal of this action." (*Id.*) Plaintiff did not respond to that order.


Nonetheless, because Plaintiff is proceeding pro se, on March 17, 2024, I issued an order providing her with "one more opportunity to demonstrate an intent to prosecute this case." (Doc. 4.) My order again warned Plaintiff that failure to demonstrate an intent to prosecute the case will "result in dismissal pursuant to Rule 41(b) of the Federal Rules of Civil Procedure." (*Id.*) On April 16, 2024, Plaintiff submitted a letter in response to my prior order. (Doc. 5.) The letter, however, was unresponsive to my April 16 Order and does not explain why Plaintiff has

yet to serve Defendants, let alone demonstrate “good cause” for the delay in doing so. (*Id.*) Instead, it seemingly expounds upon the allegations in the complaint. (*Id.*) Accordingly, I ordered Plaintiff to submit a letter, by May 19, 2024, explaining “whether she intends on prosecuting this case, including by serving Defendants with a copy of the summons and complaint.” (Doc. 6.) That order likewise warned Plaintiff that failure to comply would result in dismissal pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Because Plaintiff has failed to respond to my prior order or demonstrate an intent to prosecute this case, Plaintiff’s claims are dismissed without prejudice pursuant to Rule 41(b). The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: May 22, 2024
New York, New York


VERNON S. BRODERICK
United States District Judge